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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,306	08/21/2003	Byung-Jin Choi	P86-28-03	7847
25108 7590 05/01/2007 MOLECULAR IMPRINTS PO BOX 81536 AUSTIN, TX 78708-1536			EXAMINER TENTONI, LEO B	
			ART UNIT 1732	PAPER NUMBER
			MAIL DATE 05/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,306

Applicant(s)

CHOI ET AL.

Examiner

Leo B. Tentoni

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Art Unit: 1732

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-13, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Kim et al (U.S. Patent 6,355,198 B1) in combination with Dullings et al (U.S. Patent

Art Unit: 1732

4,908,216 A) or Lee et al (U.S. Patent Application Publication 2003/0062334 A1) in combination with Dullings et al (U.S. Patent 4,908,216 A).

Kim et al (see the entire document, in particular, col. 5, lines 26-33; col. 10, line 62 to col. 11, line 15; col. 20, lines 34-67; col. 21, line 46 to col. 22, line 9; col. 22, line 46 to col. 23, line 5; col. 24, line 50 to col. 25, line 3) and Lee et al (see the entire document, in particular, paragraphs [0011], [0012], [0040] and [0041]) teach a process of patterning a substrate with a template having a mold including the steps of positioning a conformable material between a substrate and a mold, filling a volume with conformable material through capillary action and solidifying the conformable material, except that neither Kim et al nor Lee et al explicitly teach applying a pulling force on at least one of a substrate or a mold, which is taught by Dullings et al (see the entire document, in particular, col. 2, lines 5-21 and 46-48) and such would have been obvious to one of ordinary skill in the art at the time the invention was made in the process of either Kim et al or Lee et al in view of Dullings et al principally in order to manufacture low tension molded products so that given dimensions of the mold can be accurately reproduced (i.e., patterned) on the molded products.

Art Unit: 1732

4. Claims 14-30 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willson et al (U.S. Patent 6,334,960 B1) in combination with either Kim et al (U.S. Patent 6,355,198 B1) or Lee et al (U.S. Patent Application Publication 2003/0062334 A1), and further in view of Dullings et al (U.S. Patent 4,908,216 A).

Willson et al (see the entire document, in particular, col. 2, line 35 to col. 5, line 20) teaches a process of patterning a substrate with a template having a mold including the steps of positioning a conformable material between a substrate and a mold, establishing a distance between the substrate and the mold, forming a contiguous layer having sub-portions and solidifying the conformable material. Willson et al does not explicitly teach forming a contiguous layer by capillary action, which is taught by Kim et al (see the entire document, in particular, col. 5, lines 26-33; col. 10, line 62 to col. 11, line 15; col. 20, lines 34-67; col. 21, line 46 to col. 22, line 9; col. 22, line 46 to col. 23, line 5; col. 24, line 50 to col. 25, line 3) and Lee et al (see the entire document, in particular, paragraphs [0011], [0012], [0040] and [0041]) and such would have been obvious to one of ordinary skill in the art at the time the invention was made in the process of Willson et al in view of either Kim et al or Lee et al principally in order

Art Unit: 1732

to fill a volume of material between a substrate and a mold with conformable material. Willson et al does not explicitly teach applying a pulling force on at least one of a substrate or a mold, which is taught by Dullings et al (see the entire document, in particular, col. 2, lines 5-21 and 46-48) and such would have been obvious to one of ordinary skill in the art at the time the invention was made in the process of Willson et al in view of Dullings et al principally in order to manufacture low tension molded products so that given dimensions of the mold can be accurately reproduced (i.e., patterned) on the molded products.

Response to Arguments

5. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo B. Tentoni whose telephone number is (571) 272-1209. The examiner can normally be reached on Monday - Friday (6:30 A.M. - 3:00 P.M.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina A. Johnson

Art Unit: 1732

can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Leo B. Tentoni
Primary Examiner
Art Unit 1732

lbt